

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF NORTH CAROLINA
Asheville Division**

UNITED STATES OF AMERICA

v.

MERRILL RUPPE

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Criminal No. 1:07cr103

ORDER

By Order dated May 5, 2008, defendant's motion to continue reporting date (docket no. 24) was granted and defendant's reporting date was delayed pending resolution of the government's forecasted motion for a reduction in defendant's sentence pursuant to Rule 35, Fed. R. Crim. P. This Order was entered in error and is accordingly **VACATED**.

It is further **ORDERED** that a ruling on defendant's motion to continue reporting date is **DEFERRED**.

It is further **ORDERED** that defendant's reporting date is **STAYED** pending further Order of the Court.

The Clerk is directed to send a copy of this Order to the Bureau of Prisons, the Marshal's Service, the Probation Office and all counsel of record.

/s/

T. S. Ellis, III
United States District Judge

Alexandria, VA
May 5, 2008